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December 9, 2014

Via Hand Delivery and ECF

The Honorable Katherine B. Forrest,
United States District Court,
Southern District of New York,
500 Pearl Street,
New York, New York 10007-1312.

Re: *In re Aluminum Warehousing Antitrust Litigation*, 13-md-2481
(KBF); 14 Civ. 3116 (KBF); 14 Civ. 0217 (KBF); 14 Civ. 0211
(KBF); 14 Civ. 6849 (KBF).

Dear Judge Forrest:

Defendants in the above-captioned actions respectfully submit the following submissions, which were filed yesterday, (i) in opposition to the motions for leave to amend (ECF Nos. 608 & 631) filed by the First-level Purchaser Plaintiffs (“FLPs”) and Plaintiffs Mag Instrument, Inc. (“Mag”), Agfa Corporation and Agfa Graphics, N.V. (collectively, “Agfa”), and (ii) in support of their motions to dismiss *Eastman Kodak Company v. The Goldman Sachs Group, Inc.*, 14 Civ. 6849 (KBF):

- Defendants’ Joint (1) Opposition to the FLPs and Mag and Agfa’s Motion for Leave To Amend, and (2) Motion To Dismiss Eastman Kodak Company’s (“Kodak”) Complaint for Lack of Antitrust Standing;
- Defendants’ Joint Opposition to Plaintiffs’ Antitrust Conspiracy Claims and the accompanying declaration of Henry Liu (*filed under seal*);
- Defendants Metro and Goldman Sachs’s Opposition to FLPs’ Motion for Leave to Amend (Claims 1, 2 and 4 of the Proposed Third Amended Complaint) and the accompanying declaration of Richard C. Pepperman II (*filed under seal*);
- Defendant’s Memorandum of Law in Support of Their Joint Opposition to the FLP Plaintiffs’ and Mag and Agfa’s Motion to Amend Their Complaints’ State Law Claims and in Support of Their Motion to Dismiss Kodak’s State Law Claims;

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- Opposition of Henry Bath LLC and JPMorgan Chase & Co. to Plaintiffs' Motion for Leave to Amend and in Support of their Motion to Dismiss and the accompanying declaration of Henry Liu (*filed under seal*);
- Memorandum of Pacorini Metals U.S.A., LLC and Pacorini Metals AG in Opposition to Motions for Leave to File Amended Complaints and in Support of Motion to Dismiss Amended Complaint (*filed under seal*);
- Opposition of Glencore Ltd. to Motions for Leave to File Amended Complaints and Motion to Dismiss Amended Complaint, and accompanying declaration of Eliot Lauer (*filed under seal*).

In addition, the following briefs primarily address personal jurisdiction over foreign entities:

- Opposition of Glencore plc (f/k/a "Glencore Xstrata plc") to Motions for Leave to File Amended Complaints;
- Opposition of Henry Bath & Son Ltd.'s to Leave to Amend and Motion to Dismiss and the accompanying declaration of Graham Hawkins;
- Opposition of Hong Kong Exchanges and Clearing Limited's to FLP Plaintiffs' Motion for Leave to Amend and accompanying declarations of Nicholas David Ong-Seng and Romnesh Lamba;
- Opposition of defendant LME Holding Limited's to the FLP Plaintiffs' Motion for Leave to Amend and accompanying declarations of Marcos Castro and Nicholas David Ong-Seng.

Moreover, pursuant to this Court's November 25, 2014 Order (ECF No. 644), enclosed are binders containing the cases cited in Defendants' submissions. Individual courtesy copies of the above submissions will be sent to Chambers separately pursuant to Paragraph 2.C of Your Honor's Individual Practices in Civil Cases.

Respectfully submitted,

/s/ Richard C. Pepperman II

Richard C. Pepperman II

cc: All Counsel of Record (via ECF)